

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1004 be amended to read as follows:

- 1 Page 18, between lines 28 and 29, begin a new paragraph and insert:
- 2 "SECTION 15. IC 4-31-1-2 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. The ~~purpose~~
- 4 **purposes** of this article ~~is~~ **are**:
- 5 (1) to permit pari-mutuel wagering on horse races in Indiana;
- 6 (2) **to permit the sale of pari-mutuel pull tabs at racetracks**
- 7 **and satellite facilities in Indiana;** and
- 8 (3) to ensure that **the sale of pari-mutuel pull tabs and**
- 9 pari-mutuel wagering on horse races in Indiana will be conducted
- 10 with the highest of standards and the greatest level of integrity.
- 11 SECTION 16. IC 4-31-2-1.5 IS ADDED TO THE INDIANA CODE
- 12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 13 1, 2002]: **Sec. 1.5. "Adjusted gross receipts" means:**
- 14 (1) **the total of all cash and property (including checks**
- 15 **received by a permit holder whether collected or not) received**
- 16 **by a permit holder from pari-mutuel pull tab sales; minus**
- 17 **(2) the total of:**
- 18 (A) **all cash paid out as winnings for pari-mutuel pull tabs**
- 19 **to patrons; and**
- 20 (B) **uncollectible pari-mutuel pull tab receivables, not to**
- 21 **exceed the lesser of:**
- 22 (i) **a reasonable provision for uncollectible patron checks**
- 23 **received from pari-mutuel pull tab sales; or**
- 24 (ii) **two percent (2%) of the total of all sums, including**

checks, whether collected or not, less the amount paid out as winnings for pari-mutuel pull tabs to patrons.

For purposes of this section, a counter or personal check that is invalid or unenforceable under this article is considered cash received by the permit holder from pari-mutuel pull tab sales.

SECTION 17. IC 4-31-2-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 11.5. "Pari-mutuel pull tab" means a game offered to the public in which a person who purchases a ticket has the opportunity to share in a prize pool, multiple prize pools, or a shared prize pool consisting of the total amount wagered in the game minus deductions by the permit holder selling the pari-mutuel pull tab and other deductions either permitted or required by law.

SECTION 18. IC 4-31-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 9. The commission may:

(1) adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this article, including rules that prescribe:

- (A) the forms of wagering that are permitted;
- (B) the number of races;
- (C) the procedures for wagering;
- (D) the wagering information to be provided to the public;
- (E) **the hours during which a racetrack or satellite facility may sell pari-mutuel pull tabs under IC 4-31-7.5;**
- (F) fees for the issuance and renewal of:
  - (i) permits under IC 4-31-5;
  - (ii) satellite facility licenses under IC 4-31-5.5; and
  - (iii) licenses for racetrack personnel and racing participants under IC 4-31-6;
- ~~(F)~~ (G) investigative fees;
- ~~(G)~~ (H) fines and penalties; and
- ~~(H)~~ (I) any other regulation that the commission determines is in the public interest in the conduct of recognized meetings and wagering on horse racing in Indiana;

(2) appoint employees in the manner provided by IC 4-15-2 and fix their compensation, subject to the approval of the budget agency under IC 4-12-1-13;

(3) enter into contracts necessary to implement this article; and

(4) receive and consider recommendations from an advisory development committee established under IC 4-31-11.

SECTION 19. IC 4-31-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 15. **Except as provided in IC 4-31-7.5**, any fees or penalties collected by the commission under ~~IC 4-31-3-9(1)(E)~~ **IC 4-31-3-9(1)(F)** through

~~IC 4-31-3-9(1)(G)~~ IC 4-31-3-9(1)(H) shall be paid into the state general fund.

SECTION 20. IC 4-31-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) A person holding a permit to conduct a horse racing meeting or a license to operate a satellite facility may provide a place in the racing meeting grounds or enclosure or the satellite facility at which the person may conduct and supervise the pari-mutuel system of wagering by patrons of legal age on the horse races conducted or simulcast by the person. The person may not permit or use:

(1) another place other than that provided and designated by the person; or

(2) another method or system of betting or wagering. **However, a person holding a permit to conduct a horse racing meeting may permit wagering on pari-mutuel pull tabs at the person's racetrack or satellite facility as permitted by IC 4-31-7.5.**

(b) Except as provided in section 7 of this chapter and IC 4-31-5.5, the pari-mutuel system of wagering may not be conducted on any races except the races at the racetrack, grounds, or enclosure for which the person holds a permit.

SECTION 21. IC 4-31-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) A person less than ~~eighteen (18)~~ **twenty-one (21)** years of age may not wager at a horse racing meeting.

(b) A person less than ~~seventeen (17)~~ **twenty-one (21)** years of age may not enter the grandstand, clubhouse, or similar areas of a racetrack at which wagering is permitted unless accompanied by a person who is at least twenty-one (21) years of age.

(c) A person less than ~~eighteen (18)~~ **twenty-one (21)** years of age may not enter a satellite facility.

SECTION 22. IC 4-31-7.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]:

#### **Chapter 7.5. Pari-Mutuel Pull Tabs**

**Sec. 1. (a) This chapter applies only to the sale of pari-mutuel pull tabs by a person who holds a permit to conduct a pari-mutuel horse racing meeting issued under IC 4-31-5.**

**(b) This chapter does not apply to the sale of pull tabs by a qualified organization (as defined in IC 4-32-6-20) under IC 4-32.**

**Sec. 2. A pari-mutuel pull tab game must be conducted in the following manner:**

**(1) Each set of tickets must have a predetermined:**

**(A) total purchase price; and**

**(B) amount of prizes.**

**(2) Randomly ordered pari-mutuel pull tab tickets may be distributed from an approved location or from a distribution**

device to:

(A) the permit holder at the permit holder's racetrack or satellite facility, or both; or

(B) a terminal or device of the permit holder at the permit holder's racetrack or satellite facility, or both.

(3) A pari-mutuel pull tab ticket must be presented to a player in the form of a paper ticket or display on a terminal or device.

(4) Game results must be initially covered or otherwise concealed from view on the pari-mutuel pull tab ticket, terminal, or device so that the number, letter, symbol, or set of numbers, letters, or symbols cannot be seen until the concealing medium is removed.

(5) A winner is identified after the display of the game results when a player removes the concealing medium of the pari-mutuel pull tab ticket or display on a terminal or device.

(6) A winner shall receive the prize or prizes posted or displayed for the game from the permit holder.

Sec. 3. A person less than twenty-one (21) years of age may not purchase a pari-mutuel pull tab ticket.

Sec. 4. The sale price of a pari-mutuel pull tab ticket may not exceed ten dollars (\$10).

Sec. 5. (a) The sale, purchase, and redemption of pari-mutuel pull tab tickets are limited to the following locations:

(1) A live pari-mutuel horse racing facility operated by a permit holder under a recognized meeting permit first issued before January 1, 2002.

(2) A satellite facility operated by a permit holder in a county containing a consolidated city.

(3) A satellite facility operated by a permit holder in a historic resort hotel located in a historic district in:

(A) a town having a population of more than one thousand five hundred (1,500) but less than two thousand two hundred (2,200) located in a county having a population of more than nineteen thousand three hundred (19,300) but less than twenty thousand (20,000); and

(B) a town having a population of less than one thousand five hundred (1,500) located in a county having a population of more than nineteen thousand three hundred (19,300) but less than twenty thousand (20,000).

(b) Pari-mutuel pull tab tickets may not be sold, purchased, or redeemed at any of the locations described in this section until two (2) unaffiliated permit holders operate live pari-mutuel horse racing facilities at two (2) separate locations.

(c) A permit holder may not install more than seven hundred (700) pull tab terminals or devices on the premises of the permit holder's live pari-mutuel horse racing or satellite facility.

1       **Sec. 6. The number and size of the prizes in a pari-mutuel pull**  
 2 **tab game must be finite but may not be limited.**

3       **Sec. 7. A list of prizes for winning pari-mutuel pull tab tickets**  
 4 **must be posted or displayed at a location where the tickets are sold.**

5       **Sec. 8. A permit holder may close a pari-mutuel pull tab game**  
 6 **at any time.**

7       **Sec. 9. A terminal or device selling pari-mutuel pull tab tickets**  
 8 **may be operated by a player without the assistance of the permit**  
 9 **holder for the sale and redemption of pari-mutuel pull tab tickets.**

10       **Sec. 10. A terminal or device selling pari-mutuel pull tab tickets**  
 11 **may not dispense coins or currency as prizes for winning tickets.**  
 12 **Prizes awarded by a terminal or device must be in the form of**  
 13 **credits for additional play or certificates redeemable for cash or**  
 14 **prizes.**

15       **Sec. 11. (a) The commission, with input and assistance from the**  
 16 **Indiana gaming commission, shall adopt rules under IC 4-22-2,**  
 17 **including emergency rules under IC 4-22-2-37.1, to implement this**  
 18 **chapter, including rules that prescribe:**

19           **(1) an approval process for pari-mutuel pull tab games that**  
 20 **requires periodic testing of the games and equipment by an**  
 21 **independent entity under the oversight of the commission to**  
 22 **ensure the integrity of the games to the public;**

23           **(2) a system of internal audit controls;**

24           **(3) a method of payment for pari-mutuel pull tab prizes that**  
 25 **allows a player to transfer credits from one (1) terminal or**  
 26 **device to another;**

27           **(4) a method of payment for pari-mutuel pull tab prizes that**  
 28 **allows a player to redeem a winning ticket for additional play**  
 29 **tickets or credit to permit purchase of additional play tickets;**  
 30 **and**

31           **(5) any other procedure or requirement necessary for the**  
 32 **efficient and economical operation of the pari-mutuel pull tab**  
 33 **games and the convenience of the public.**

34       **(b) The commission may enter into a contract with the Indiana**  
 35 **gaming commission for the provision of services necessary to**  
 36 **administer pari-mutuel pull tab games.**

37       **Sec. 12. The commission may assess an administrative fee to a**  
 38 **permit holder offering pari-mutuel pull tab games in an amount**  
 39 **that allows the commission to recover all the commission's costs of**  
 40 **administering the pari-mutuel pull tab games.**

41       **Sec. 13. The commission may not permit the sale of pari-mutuel**  
 42 **pull tab tickets in a county where a riverboat is docked.**

43       **Sec. 14. All shipments of gambling devices, including**  
 44 **pari-mutuel pull tab machines, to permit holders in Indiana, the**  
 45 **registering, recording, and labeling of which have been completed**  
 46 **by the manufacturer or dealer in accordance with 15 U.S.C. 1171**  
 47 **through 15 U.S.C. 1178, are legal shipments of gambling devices**

into Indiana.

**Sec. 15. Under 15 U.S.C. 1172, approved January 2, 1951, the state of Indiana, acting by and through elected and qualified members of the legislature, declares and proclaims that the state is exempt from 15 U.S.C. 1172.**

SECTION 23. IC 4-31-9-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. A person that holds a permit to conduct a horse racing meeting or a license to operate a satellite facility shall withhold:

(1) eighteen percent (18%) of the total of money wagered on each day at the racetrack or satellite facility (including money wagered on exotic wagering pools, **but excluding money wagered on pari-mutuel pull tabs under IC 4-31-7.5**); plus

(2) an additional three and one-half percent (3.5%) of the total of all money wagered on exotic wagering pools on each day at the racetrack or satellite facility.

SECTION 24. IC 4-33-2-5.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 5.6. "Cruise" means to depart from the dock while gambling is conducted.**

SECTION 25. IC 4-33-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 7. "Dock" means the location where ~~an excursion~~ a riverboat moors for the purpose of embarking passengers for and disembarking passengers from ~~a gambling excursion; the riverboat.~~

SECTION 26. IC 4-33-2-15.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 15.5. "Patron" means an individual who:**

(1) boards a riverboat; and

(2) is not entitled to receive a tax free pass.

SECTION 27. IC 4-33-2-15.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 15.7. "Permanently moored vessel" means a floating vessel that is:**

(1) incapable of self-propulsion; and

(2) out of navigation.

**The term includes a barge.**

SECTION 28. IC 4-33-2-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 16.5. "Reporting period" means a twenty-four (24) hour increment used by the department under this article, commencing at 6 a.m. on one (1) day and concluding at 5:59 a.m. the following day.**

SECTION 29. IC 4-33-2-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 17. "Riverboat" means:

(1) a self-propelled ~~excursion~~ boat located in a county described in IC 4-33-1-1 on which lawful gambling is authorized and licensed under this article; or

(2) a permanently moored vessel located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred fifteen thousand (115,000) on which lawful gambling is authorized and licensed under this article.

SECTION 30. IC 4-33-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 10. **If a riverboat cruises**, the commission shall authorize the route of ~~a~~ the riverboat and the stops, if any, that the riverboat may make **while on a cruise**.

SECTION 31. IC 4-33-4-21.2, AS AMENDED BY P.L.215-2001, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 21.2. (a) The Indiana gaming commission shall require a licensed owner to conspicuously display the number of the toll free telephone line described in IC 4-33-12-6 in the following locations:

(1) On each admission ticket to a riverboat ~~gambling excursion~~. **if tickets are issued.**

(2) On a poster or placard that is on display in a public area of each riverboat where gambling games are conducted.

(b) The toll free telephone line described in IC 4-33-12-6 must be:

(1) maintained by the division of mental health and addiction under IC 12-23-1-6; and

(2) funded by the addiction services fund established by IC 12-23-2-2.

(c) The commission may adopt rules under IC 4-22-2 necessary to carry out this section.

SECTION 32. IC 4-33-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) The commission may issue to a person a license to own ~~one (1)~~ a riverboat subject to the numerical and geographical limitation of owner's licenses under this section, **section 3.5 of this chapter**, and IC 4-33-4-17. However, not more than eleven (11) owner's licenses may be in effect at any time. Except as provided in subsection (b), those eleven (11) licenses are as follows:

(1) Two (2) licenses for a riverboat that operates from the largest city located in the counties described under IC 4-33-1-1(1).

(2) One (1) license for a riverboat that operates from the second largest city located in the counties described under IC 4-33-1-1(1).

(3) One (1) license for a riverboat that operates from the third largest city located in the counties described under IC 4-33-1-1(1).

(4) One (1) license for a city located in the counties described under IC 4-33-1-1(1). This license may not be issued to a city

described in subdivisions (1) through (3).

(5) A total of five (5) licenses for riverboats that operate upon the Ohio River from counties described under IC 4-33-1-1(2). The commission may not issue a license to an applicant if the issuance of the license would result in more than one (1) riverboat operating from a county described in IC 4-33-1-1(2).

(6) One (1) license for a riverboat that operates upon Patoka Lake from a county described under IC 4-33-1-1(3).

(b) If a city described in subsection (a)(2) or (a)(3) conducts two (2) elections under section 20 of this chapter, and the voters of the city do not vote in favor of permitting riverboat gambling at either of those elections, the license assigned to that city under subsection (a)(2) or (a)(3) may be issued to any city that:

(1) does not already have a riverboat operating from the city; and

(2) is located in a county described in IC 4-33-1-1(1).

SECTION 33. IC 4-33-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. The commission may not issue an owner's license under this chapter to a person if:

(1) the person has been convicted of a felony under Indiana law, the laws of any other state, or laws of the United States;

(2) the person has knowingly or intentionally submitted an application for a license under this chapter that contains false information;

(3) the person is a member of the commission;

(4) the person is an officer, a director, or a managerial employee of a person described in subdivision (1) or (2);

(5) the person employs an individual who:

(A) is described in subdivision (1), (2), or (3); and

(B) participates in the management or operation of gambling operations authorized under this article;

(6) the person owns an ownership interest of more than ~~ten percent (10%)~~ in more than one (1) other person holding an owner's license issued under the total amount of ownership interest permitted under section 3.5 of this chapter; or

(7) a license issued to the person:

(A) under this article; or

(B) to own or operate gambling facilities in another jurisdiction;

has been revoked.

SECTION 34. IC 4-33-6-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 3.5. (a) For purposes of this section, a person is considered to have an ownership interest in a riverboat owner's license if the interest is owned directly or indirectly by the person or by an entity controlled by the person.**

**(b) A person may have up to a one hundred percent (100%)**



1 ownership interest in not more than two (2) riverboat licenses  
2 issued under this chapter.

3 (c) A person may not have an ownership interest in more than  
4 two (2) riverboat owner's licenses issued under this chapter.

5 (d) This section may not be construed to increase the maximum  
6 number of licenses permitted under section 1 of this chapter or the  
7 number of riverboats that may be owned and operated under a  
8 license under section 10 of this chapter.

9 SECTION 35. IC 4-33-6-9 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 9. (a) A licensed owner  
11 must post a bond with the commission at least sixty (60) days before  
12 the commencement of ~~regular gambling on the riverboat. excursions.~~

13 (b) The bond shall be furnished in:

14 (1) cash or negotiable securities;

15 (2) a surety bond:

16 (A) with a surety company approved by the commission; and

17 (B) guaranteed by a satisfactory guarantor; or

18 (3) an irrevocable letter of credit issued by a banking institution  
19 of Indiana acceptable to the commission.

20 (c) If a bond is furnished in cash or negotiable securities, the  
21 principal shall be placed without restriction at the disposal of the  
22 commission, but income inures to the benefit of the licensee.

23 (d) The bond:

24 (1) is subject to the approval of the commission;

25 (2) must be in an amount that the commission determines will  
26 adequately reflect the amount that a local community will expend  
27 for infrastructure and other facilities associated with a riverboat  
28 operation; and

29 (3) must be payable to the commission as obligee for use in  
30 payment of the licensed owner's financial obligations to the local  
31 community, the state, and other aggrieved parties, as determined  
32 by the rules of the commission.

33 (e) If after a hearing (after at least five (5) days written notice) the  
34 commission determines that the amount of a licensed owner's bond is  
35 insufficient, the licensed owner shall upon written demand of the  
36 commission file a new bond.

37 (f) The commission may require a licensed owner to file a new bond  
38 with a satisfactory surety in the same form and amount if:

39 (1) liability on the old bond is discharged or reduced by judgment  
40 rendered, payment made, or otherwise; or

41 (2) in the opinion of the commission any surety on the old bond  
42 becomes unsatisfactory.

43 (g) If a new bond obtained under subsection (e) or (f) is  
44 unsatisfactory, the commission shall cancel the owner's license. If the  
45 new bond is satisfactorily furnished, the commission shall release in  
46 writing the surety on the old bond from any liability accruing after the

effective date of the new bond.

(h) A bond is released on the condition that the licensed owner remains at the site for which the owner's license is granted for the lesser of:

(1) five (5) years; or

(2) the date the commission grants a license to another licensed owner to operate from the site for which the bond was posted.

(i) A licensed owner who does not meet the requirements of subsection (h) forfeits a bond filed under this section. The proceeds of a bond that is in default under this subsection are paid to the commission for the benefit of the local unit from which the riverboat operated.

(j) The total and aggregate liability of the surety on a bond is limited to the amount specified in the bond and the continuous nature of the bond may in no event be construed as allowing the liability of the surety under a bond to accumulate for each successive approval period during which the bond is in force.

(k) A bond filed under this section is released sixty (60) days after:

(1) the time has run under subsection (h); and

(2) a written request is submitted by the licensed owner.

SECTION 36. IC 4-33-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 10. (a) An owner's license issued under this chapter permits the holder to own and operate one (1) riverboat and equipment for each license.

**(b) An owner's license issued under this chapter permits the holder to:**

**(1) conduct gambling games authorized under this article while the riverboat is cruising or docked; and**

**(2) allow the continuous ingress and egress of passengers for purposes of gambling.**

(c) An owner's license issued under this chapter must specify the place where the riverboat must operate and dock. However, the commission may permit the riverboat to dock at a temporary dock in the applicable city for a specific period of time not to exceed one (1) year after the owner's license is issued.

~~(c)~~ (d) An owner's initial license expires five (5) years after the effective date of the license.

**(e) Except as provided in subsection (f), an owner's license issued under this chapter does not permit the holder to conduct gambling games on a permanently moored vessel.**

**(f) An owner's license issued under this chapter for a riverboat located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred fifteen thousand (115,000) permits the holder to conduct gambling games on a permanently moored vessel.**

SECTION 37. IC 4-33-6-11 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 11. The commission may revoke an owner's license if:

- (1) the licensee begins regular ~~riverboat excursions~~ **operations** more than twelve (12) months after receiving the commission's approval of the application for the license; and
- (2) the commission determines that the revocation of the license is in the best interests of Indiana.

SECTION 38. IC 4-33-9-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) Except as provided in subsection (b), ~~a riverboat excursions~~ **cruise** may not exceed four (4) hours for a round trip.

(b) Subsection (a) does not apply to an extended cruise that is expressly approved by the commission.

SECTION 39. IC 4-33-9-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 14. (a) This section applies only to a riverboat that operates from a county that is contiguous to the Ohio River.

(b) A ~~gambling excursion~~ **cruise** is permitted only when the navigable waterway for which the riverboat is licensed is navigable, as determined by the commission in consultation with the United States Army Corps of Engineers.

SECTION 40. IC 4-33-10-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. An action to prosecute a crime occurring during ~~a gambling excursion on a riverboat~~ shall be tried in the county of the dock where the riverboat is ~~based~~ **located**.

Page 18, line 30, after "Sec. 1." insert "(a)".

Page 18, line 31, strike "gambling excursions" and insert "**a riverboat**".

Page 18, line 32, strike "person admitted to the gambling excursion." and insert "**patron who is on board at the time a passenger count is recorded.**"

(b) **Passenger counts must be recorded one (1) hour after the start of each reporting period and once every two (2) hours thereafter under procedures approved by the commission.**

(c) **If the riverboat's schedule as approved by the commission does not provide for the riverboat to be open to the public at the start of the reporting period, passenger counts must be recorded one (1) hour after the riverboat begins admitting patrons during a reporting period and once every two (2) hours thereafter under procedures approved by the commission.**

Page 18, line 33, strike "gambling excursion." and insert: "(d)".

Page 18, line 34, strike "excursion." and insert "**operation.**".

Page 252, after line 42, begin a new paragraph and insert:

"SECTION 278. IC 35-45-5-7 IS AMENDED TO READ AS

1       FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 7. This chapter does not  
 2       apply to the publication or broadcast of an advertisement, a list of  
 3       prizes, or other information concerning:

4           (1) pari-mutuel wagering on horse races or a lottery authorized by  
 5           the law of any state; ~~or~~

6           (2) a game of chance operated in accordance with IC 4-32; **or**

7           **(3) a pari-mutuel pull tab game operated in accordance with**  
 8           **IC 4-31-7.5.**

9       SECTION 279. IC 35-45-5-11 IS ADDED TO THE INDIANA  
 10       CODE AS A NEW SECTION TO READ AS FOLLOWS  
 11       [EFFECTIVE JULY 1, 2002]: **Sec. 11. This chapter does not apply**  
 12       **to the sale of pari-mutuel pull tab tickets authorized by**  
 13       **IC 4-31-7.5."**

14       Page 300, line 30 after ":" insert "IC 4-33-2-8; IC 4-33-9-2;  
 15       IC 4-33-12-2;"

16       Page 302 , between lines 19 and 20, begin a new paragraph and  
 17       insert:

18       "SECTION 294. [EFFECTIVE JULY 1, 2002] **(a) The Indiana**  
 19       **horse racing commission shall adopt the emergency rules required**  
 20       **under IC 4-31-7.5-11, as added by this act, before September 1,**  
 21       **2002.**

22       **(b) This SECTION expires December 31, 2002."**

23       Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 22, 2002.)

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Representative Porter